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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. <b>PHAG 100 DIV</b>	
		First Inventor <b>Peter J. Houzego</b>	
		Title <b>Ingestible Device</b>	
		Express Mail Label No. <b>EL 717 748 009 US</b>	

410 U.S. PTO  
 10/607721  
 06/27/03

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>		<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original and a duplicate for fee processing)</small> 2. <input type="checkbox"/> Applicant claims small entity status. <small>See 37 CFR 1.27.</small> 3. <input checked="" type="checkbox"/> Specification <span style="float: right;">[Total Pages <b>52</b>]</span> <small>(preferred arrangement set forth below)</small> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">[Total Sheets <b>15</b>]</span> 5. Oath or Declaration <span style="float: right;">[Total Pages <b>3</b>]</span> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small> 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies		
<b>ACCOMPANYING APPLICATION PARTS</b>			
9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small> 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: Items 9 and 10 are copies from Serial No. 09/742,936			
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. <b>09, 742,936</b> <small>Prior application information: Examiner: <b>Manuel A. Mendez</b> Group Art Unit: <b>3763</b></small> <b>For CONTINUATION OR DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.			
<b>19. CORRESPONDENCE ADDRESS</b>			
<input checked="" type="checkbox"/> Customer Number or Bar Code Label <span style="border: 1px solid black; padding: 2px;">(Insert Customer No. or Attach bar code label here)</span> or <input type="checkbox"/> Correspondence address below			
Name		<b>Patrea L. Pabst Holland &amp; Knight LLP</b>	
Address		<b>2000 One Atlantic Center 1201 West Peachtree Street</b>	
City	Atlanta	State	GA
Zip Code	30309-3400		
Country	United States	Telephone	404-817-8473
		Fax	404-817-8588
Name (Print/Type)		<b>Patrea L. Pabst, Esq.</b>	
Signature		Registration No. (Attorney/Agent) <b>31,284</b> Date <b>June 26, 2003</b>	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231. **PHAG 100 DIV - 078230/00011**

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750.00

## Complete if Known

Application Number	Divisional of 09/742,936
Filing Date	June 27, 2003
First Named Inventor	Peter J. Houzego
Examiner Name	
Art Unit	
Attorney Docket No.	PHAG 100 DIV

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

50-1868

Holland & Knight LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	750.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 750.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
19	-20	0	0.00
Independent Claims	1	-3** = 0	0.00
Multiple Dependent			0.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00

## SUBMITTED BY

Name (Print/Type) Patrea L. Pabst, Esq.

Registration No. 31,284  
(Attorney/Agent)

(Complete if applicable)

Telephone (404) 817-8473

Signature

Date June 26, 2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

PHAG 100 DIV - 078230/00011

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Peter J. Houzego, Peter N. Morgan, Peter H. Hirst,  
Duncan J. Westland, and Ian R. Wilding

Serial No.: Divisional of 09/742,936

Express Mail Label  
No. EL 717 748 009 US

Filed: June 27, 2003

Date of Deposit: June 27, 2003

For: *INGESTIBLE DEVICE*

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR FILING A DIVISIONAL APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

Sir:

Pursuant to 35 U.S.C. § 21(a), as amended by Public Law 97-247, and 37 C.F.R. §§ 1.10 and 1.53(b), applicants enclose for filing the attached new patent application entitled "*Ingestible Device*". This application is a divisional of pending prior application Serial No. 09/742,936 filed December 20, 2000, entitled "*Ingestible Device*", by Peter J. Houzego, Peter N. Morgan, Peter H. Hirst, Duncan J. Westland, and Ian R. Wilding, which claims priority to United Kingdom patent application number 9930000.6 filed December 21, 1999 (a certified copy of which was submitted in prior application Serial No. 09/742,936). The application includes 1 page of abstract, 38 pages of specification, 13 pages of claims, 15 sheets of formal drawings, and a copy of the executed Declaration for Patent Application from prior application Serial No. 09/742,936.

Divisional of U.S.S.N. 09/742,936  
Filed: June 27, 2003  
**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No.: EL 717 748 009 US  
Date of Deposit: June 27, 2003

Pursuant to 37 C.F.R. § 1.63(d), the copy of the executed Declaration for Patent Application included in the new application is a copy of the executed Declaration filed in parent application Serial No. 09/742,936, to which the new application claims benefit.

The inventorship for the claims in the new application is the same as in parent application Serial No. 09/742,936.

Enclosed are a Preliminary Amendment and an Information Disclosure Statement. Please amend the application in accordance with the Preliminary Amendment.

Enclosed from prior application Serial No. 09/742,936 are copies of the (a) Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers ; (b) Statement Under 37 CFR §3.73(b); and (c) Recorded Assignment of rights from the inventors to Phaeton Research Ltd.

Also enclosed are an (a) Application Data Sheet; (b) Utility Patent Application Transmittal; and (c) Fee Transmittal (in duplicate).

This application is not entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

Enclosed is a check in the amount of \$750.00 to cover the filing fee for a large entity. It is believed that this is the proper filing fee since the application includes 1 independent claim and a total of 19 claims upon entry of the enclosed Preliminary Amendment.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1868. To facilitate this process, applicants enclose a duplicate of this transmittal.

Divisional of U.S.S.N. 09/742,936  
Filed: June 27, 2003  
**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No.: EL 717 748 009 US  
Date of Deposit: June 27, 2003

The power of attorney in the prior application is to Patrea L. Pabst.

All correspondence concerning this application should be mailed to:

Customer No. 23579  
Patrea L. Pabst, Esq.  
HOLLAND & KNIGHT LLP  
2000 One Atlantic Center  
1201 West Peachtree Street, N.E.  
Atlanta, GA 30309-3400

This application is being filed on June 27, 2003, by mailing the application to  
MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450 via the United States Postal Service "Express Mail Post Office to Addressee"  
Service under 37 C.F.R. § 1.10. The Express Mail Label number appears in the heading of this  
paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

Respectfully submitted,



Patrea L. Pabst  
Reg. No. 31,284

Date: June 26, 2003

HOLLAND & KNIGHT LLP  
2000 One Atlantic Center  
1201 West Peachtree Street, N.E.  
Atlanta, Georgia 30309-3400  
(404) 817-8473 (Telephone)  
(404) 817-8588 (Fax)

Divisional of U.S.S.N. 09/742,936  
Filed: June 27, 2003  
**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No.: EL 717 748 009 US  
Date of Deposit: June 27, 2003

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this paper and any documents referred to as attached or enclosed are being deposited with the United States Postal Service on this date, June 27, 2003, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Express Mail Label No. EL 717 748 009 US, addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Pam Turnbough

Date: June 27, 2003